

REMARKS

This is a full and timely response to the outstanding Final Office Action mailed July 30, 2010. The Examiner is thanked for the thorough examination of the present application. Upon entry of this response, claims 1, 2, 5-7, 10, 13, 16-18, 51-57 and 61-66 are pending in the present application. Applicant respectfully requests consideration of the following remarks contained herein. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Claim Numbering

The patent examiner indicates that the numbering of claims is not in accordance with 37 CFR 1.126, which requires the original numbering of the claims to be preserved throughout the prosecution. More specifically, the patent examiner indicates that misnumbered claim 60 should be renumbered 59 and the subsequent claims should be renumbered appropriately. In response, the applicant notes that there is no claim numbered 60 and that the claim numbering in the application goes from claim number 59 to claim number 61. The applicant interprets the patent examiner's request to be a request to renumber claim 61 as claim 60 and to renumber the remaining claims accordingly. The applicant has renumbered the claims in this manner and submits that the claims are now in accordance with 37 CFR 1.126.

II. Response to Claim Rejections Under 35 U.S.C. § 103

The patent examiner has rejected claims 1, 2, 5, and 6 under 35 U.S.C. §103(a) as being unpatentable over Maass in view of Green, Beaver, and Spears; and claims 61-63 under 35 U.S.C. §103(a) as being unpatentable over Maass in view of Green. The applicant respectfully traverses these rejections because the references relied upon by the patent examiner do not teach or suggest each and every limitation required by these claims. In order to advance the prosecution of this case, however, the applicant has amended these claims to

include limitations that are not taught or suggested by these references. Accordingly, the rejections should be withdrawn.

As an initial point, the applicant respectfully requests that the patent examiner withdraw the finality of the current office action and consider the applicant's amendment and arguments with respect to claims 1, 2, 5, and 6. The limitations in these claims that applicant contends are not present in the new Green reference cited by the examiner were present in the claims submitted by the applicant prior to the applicant's previous amendment. Accordingly, the applicant's amendment did not necessitate the new ground of rejection, at least with respect to the claim limitations discussed below.

Claim 1 has been amended to indicate that the frame is arranged to retain the screen under tension such that the tension of the screen can be independently varied at a plurality of positions along at least one edge of the screen. The patent examiner cites Green for its teaching of the use of a series of springs along one edge of a screen and contends that, as a result, Green teaches the retention of a screen under tension such that the tension of the screen can be varied at a plurality of positions along at least one edge of the screen. The applicant respectfully disagrees but, even if Green were to teach this limitation, it definitely does not teach that the tension can be independently varied as required by amended claim 1.

The use of a series of springs as taught by Green appears to apply the same amount of tension to the screen as the springs are not independently attached to the screen in the Green reference. As shown in Fig. 5 of Green, springs 142 are attached to frame member 105, not screen 98, and, as a result, cannot vary the tension applied to the screen at a plurality of positions along at least one edge of the screen as required by this claim. In addition, Green does not teach the use of springs having different elasticities. Thus, even if the springs in Green were independently attached to the screen they would not allow one to vary the tension

on the screen at a plurality of positions along at least one edge of the screen. The applicant, therefore, submits that amended claim 1 is patentable over the Green reference.

Claims 2, 5, and 6 are dependent claims that depend from amended claim 1 and include all of the limitations of that claim. Accordingly, these claims are now in condition for allowance for the same reason that amended claim 1 is now in condition for allowance.

Claims 61-63 have been amended as indicated below in the discussion of allowable subject matter and are now in condition for allowance for the reasons set forth therein.

III. Allowable Subject Matter

The patent examiner indicates that claims 7, 10, 13, 16-18, and 51-57 have been allowed. The applicant thanks the patent examiner for the allowance of these claims.

The patent examiner also indicates that claims 64-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, the application has amended claim 61 to include the limitations included in claim 64, which is equivalent to rewriting claim 64 in independent form including all of the limitations of its base claim and any intervening claims, and amended claim 61 is now in condition for allowance. Claims 65 and 66 have been amended to depend, either directly or indirectly, on amended claim 61 and are now in condition for allowance for the same reason that amended claim 61 is now in condition for allowance.

CONCLUSION

Applicant respectfully submits that all pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephone conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500. In addition, if the Examiner maintains the rejection of claims 1, 2,

5, and 6 despite the applicant's arguments set forth above, the Examiner is authorized to cancel these claims and allow the application to issue with the remaining claims in the application.

No fee is believed to be due in connection with this amendment and response to Office Action. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Respectfully submitted,

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